

26-2-27 Identifying birth certificates of missing persons -- Procedures.

(1) As used in this section:

- (a) "Division" means the Criminal Investigations and Technical Services Division, Department of Public Safety, in Title 53, Chapter 10, Criminal Investigations and Technical Services Act.
- (b) "Missing child" means a person younger than 18 years of age who is missing from the person's home environment or a temporary placement facility for any reason, and whose whereabouts cannot be determined by the person responsible for the child's care.
- (c) "Missing person" means a person who:
 - (i) is missing from the person's home environment; and
 - (ii)
 - (A) has a physical or mental disability;
 - (B) is missing under circumstances that indicate that the person is endangered, missing involuntarily, or a victim of a catastrophe; or
 - (C) is a missing child.

(2)

- (a) In accordance with Section 53-10-203, upon the state registrar's notification by the division that a person who was born in this state is missing, the state and local registrars shall flag the registered birth certificate of that person so that when a copy of the registered birth certificate or information regarding the birth record is requested, the state and local registrars are alerted to the fact the registered birth certificate is that of a missing person.
- (b) Upon notification by the division the missing person has been recovered, the state and local registrars shall remove the flag from that person's registered birth certificate.

(3) The state and local registrars may not provide a copy of a registered birth certificate of any person whose record is flagged under Subsection (2), except as approved by the division.

(4)

- (a) When a copy of the registered birth certificate of a person whose record has been flagged is requested in person, the state or local registrar shall require that person to complete a form supplying that person's name, address, telephone number, and relationship to the missing person, and the name and birth date of the missing person.
- (b) The state or local registrar shall inform the requester that a copy of the registered birth certificate will be mailed to the requester.
- (c) The state or local registrar shall note the physical description of the person making the request, and shall immediately notify the division of the request and the information obtained pursuant to this Subsection (4).

(5) When a copy of the registered birth certificate of a person whose record has been flagged is requested in writing, the state or local registrar or personnel of the state or local registrar shall immediately notify the division, and provide it with a copy of the written request.

Amended by Chapter 366, 2011 General Session